

Message Text

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ORIGIN EB-07

INFO OCT-01 ISO-00 L-02 ARA-06 EA-06 AGR-05 SS-15 INR-07

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FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY MEXICO

AMEMBASSY PANAMA

AMEMBASSY PORT AU PRINCE

AMEMBASSY SAN JOSE

AMEMBASSY SANTO DOMINGO

AMEMBASSY TEGUCIGALPA

AMEMBASSY SAN SALVADOR

INFO AMCONSUL BELIZE

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E.O. 11652: N/A

TAGS: EAGR

SUBJECT: 1975 MEAT IMPORT PROGRAM

REF: (A) STATE 61201; (B) STATE 29673 (1971)

1. POSTS REQUESTED INFORM HOST GOVERNMENTS THAT US HAS
RECEIVED AGREEMENT IN PRINCIPLE TO PROPOSED 1975 PROGRAM
(REF A) FROM MAJOR SUPPLYING COUNTRIES AND THEREFORE WISHES
TO FORMALIZE AGREEMENTS BY EXCHANGE OF NOTES AS IN PAST

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YEARS (1972 BEING LAST YEAR VR AGREEMENTS WERE SIGNED).

POSTS SHOULD EMPHASIZE IMPORTANCE OF SIGNING AGREEMENTS AS

SOON AS POSSIBLE (HOPEFULLY WITHIN TWO WEEKS) IN VIEW OF DOMESTIC PRESSURES IN US FOR FURTHER RESTRICTIONS ON MEAT IMPORTS IN 1975 AS MEASURE TO ASSIST HARD PRESSED US LIVE-STOCK INDUSTRY.

2. TEXT OF NOTE FROM US AMBASSADOR PROPOSING 1975 AGREEMENT FOLLOWS. BEGIN TEXT. EXCELLENCY: I HAVE THE HONOR TO REFER TO DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS RELATING TO THE IMPORTATION INTO THE UNITED STATES FOR CONSUMPTION OF FRESH, CHILLED, OR FROZEN CATTLE MEAT (ITEM 106.10 OF THE TARIFF SCHEDULES OF THE UNITED STATES) AND FRESH, CHILLED OR FROZEN MEAT OF GOATS AND SHEEP, EXCEPT LAMBS (ITEM 106.20 OF THE TARIFF SCHEDULES OF THE UNITED STATES) DURING THE CALENDAR YEAR 1975 AND TO THE AGREEMENTS BETWEEN THE UNITED STATES AND OTHER COUNTRIES

CONSTITUTING THE 1971 AND 1972 RESTRAINT PROGRAMS CONCERNING SHIPMENTS OF SUCH MEATS TO THE UNITED STATES.

WITH THE UNDERSTANDING THAT SIMILAR AGREEMENTS ALSO WILL BE CONCLUDED FOR THE CALENDAR YEAR 1975 WITH THE GOVERNMENTS OF OTHER COUNTRIES THAT PARTICIPATED IN THE 1971 AND 1972 RESTRAINT PROGRAMS, I HAVE THE HONOR TO PROPOSE THE FOLLOWING AGREEMENT BETWEEN OUR TWO GOVERNMENTS:

- (1) ON THE BASIS OF THE FOREGOING, AND SUBJECT TO PARAGRAPH 4, THE PERMISSIBLE TOTAL QUANTITY OF IMPORTS OF SUCH MEATS INTO THE UNITED STATES DURING THE CALENDAR YEAR 1975 FROM COUNTRIES PARTICIPATING IN THE RESTRAINT PROGRAM SHALL BE 1161.9 MILLION POUNDS, AND THE GOVERNMENT OF AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL RESPECTIVELY UNDERTAKE RESPONSIBILITIES AS SET FORTH BELOW FOR REGULATING EXPORTS TO, AND IMPORTS INTO, THE UNITED STATES.

- (2) THE GOVERNMENT OFSHALL LIMIT THE QUANTITY OF SUCH MEATS EXPORTED FROMTO THE UNITED STATES FOR ENTRY OR WITHDRAWAL FROM WAREHOUSE FOR CONSUMPTION DURING THE CALENDAR YEAR 1975 TO..... MILLION LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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POUNDS OR SUCH HIGHER FIGURE AS MAY RESULT FROM ADJUSTMENTS PURSUANT TO PARAGRAPH 4.

- (3) THE GOVERNMENT OF THE UNITED STATES OF AMERICA MAY LIMIT IMPORTS OF SUCH MEATS OFORIGIN, WHETHER BY DIRECT OR INDIRECT SHIPMENTS, THROUGH ISSUANCE OF REGULATIONS GOVERNING THE ENTRY, OR WITHDRAWAL FROM WAREHOUSE, FOR CONSUMPTION IN THE UNITED STATES, PROVIDED THAT, WITH RESPECT TO IMPORTS WHICH ARE DIRECT SHIPMENTS FROM: (A) SUCH REGULATIONS SHALL NOT BE EM-

PLOYED TO GOVERN THE TIMING OF ENTRY OR WITHDRAWAL FROM WAREHOUSE FOR CONSUMPTION OF SUCH MEAT FROM; AND (B) SUCH REGULATIONS SHALL BE ISSUED ONLY AFTER CONSULTATION WITH THE GOVERNMENT OFPURSUANT TO PARAGRAPH 6 AND ONLY IN CIRCUMSTANCES WHERE IT IS EVIDENT AFTER SUCH CONSULTATIONS THAT THE QUANTITY OF SUCH MEAT LIKELY TO BE PRESENTED FOR ENTRY OR WITHDRAWAL FROM WAREHOUSE FOR CONSUMPTION IN THE CALENDAR YEAR 1975 WILL EXCEED THE QUANTITY SPECIFIED IN PARAGRAPH 2, AS IT MAY BE INCREASED PURSUANT TO PARAGRAPH 4.

- (4) THE GOVERNMENT OF THE UNITED STATES OF AMERICA MAY INCREASE THE PERMISSIBLE TOTAL QUANTITY OF IMPORTS OF SUCH MEATS INTO THE UNITED STATES DURING THE CALENDAR YEAR 1975 FROM COUNTRIES PARTICIPATING IN THE RESTRAINT PROGRAM OR MAY ALLOCATE ANY ESTIMATED SHORTFALL IN A SHARE OF THE RESTRAINT PROGRAM QUANTITY OR IN THE INITIAL ESTIMATES OF IMPORTS FROM COUNTRIES NOT PARTICIPATING IN THE RESTRAINT

PROGRAM. THEREUPON, IF NO SHORTFALL IS ESTIMATED FOR, SUCH INCREASE OR ESTIMATED SHORTFALL SHALL BE ALLOCATED TO IN THE PROPORTION THAT MILLION POUNDS BEARS TO THE TOTAL INITIAL SHARES FROM ALL COUNTRIES PARTICIPATING IN THE RESTRAINT PROGRAM WHICH ARE ESTIMATED TO HAVE NO SHORTFALL FOR THE CALENDAR YEAR 1975. THE FOREGOING ALLOCATION SHALL NOT APPLY TO ANY INCREASE IN THE ESTIMATE OF IMPORTS FROM COUNTRIES NOT PARTICIPATING IN THE 1975 RESTRAINT PROGRAM.

- (5) THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL SEPARATELY REPORT MEATS REJECTED AS UNACCEPTABLE FOR HUMAN LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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HUMAN CONSUMPTION UNDER UNITED STATES INSPECTION STANDARDS, AND SUCH MEATS WILL NOT BE REGARDED AS PART OF THE QUANTITY DESCRIBED IN PARAGRAPH 2.

- (6) THE GOVERNMENT OF AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL CONSULT PROMPTLY UPON THE REQUEST OF EITHER GOVERNMENT REGARDING ANY MATTER INVOLVING THE APPLICATION, INTERPRETATION OR IMPLEMENTATION OF THIS AGREEMENT, AND REGARDING ANY INCREASE IN THE TOTAL QUANTITY PERMISSIBLE UNDER THE RESTRAINT PROGRAM AND ALLOCATION OF SHORTFALL.

- (7) IN THE EVENT THAT QUOTAS ON IMPORTS OF SUCH MEATS SHOULD BECOME NECESSARY, THE REPRESENTATIVE PERIOD USED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR CALCULATION OF THE QUOTA FOR SHALL NOT INCLUDE THE PERIOD BETWEEN OCTOBER 1, 1968 AND JUNE 30, 1972 OR THE CALENDAR YEAR 1975, EXCEPT BY THE AGREEMENT OF THE GOVERN-

MENT OF I HAVE THE HONOR TO PROPOSE THAT, IF
THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF,
THIS NOTE TOGETHER WITH YOUR EXCELLENCY'S CONFIRMATORY
REPLY CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS
WHICH SHALL ENTER INTO FORCE ON THE DATE OF YOUR REPLY.
ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST
CONSIDERATION. END TEXT.

3. SINCE IT DESIRABLE ALL AGREEMENTS CONTAIN SAME WORDING,
YOU REQUESTED SUBMIT FULL TEXT TO HOST GOVERNMENT WITH
MINOR DEVIATIONS FROM WORDING AGREED UPON IN 1971 OR 1972.
SIGNIFICANT CHANGES PROPOSED BY HOST GOVERNMENT SHOULD BE
REFERRED TO DEPARTMENT FOR APPROVAL.

4. WE ARE AGAIN PROPOSING PARA. 7 TO MAKE HOST GOVERNMENT
AWARE US COMMITMENT TO AUSTRALIA AND NEW ZEALAND AS
ESSENTIAL CONDITION THEIR PARTICIPATION RESTRAINT PROGRAM.
IF HOST GOVERNMENT STRONGLY OBJECTS, EMBASSY AUTHORIZED
AGREE DELETION THIS PROVISION.

5. THE PROVISIONS OF PARA 3 ARE
NECESSARY TO ENSURE THAT NO MEAT
IS TRANSHIPPED THROUGH PARTICIPATING; OR NON-PARTICIPATING
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COUNTRIES WHICH WOULD HAVE THE EFFECT OF RENDERING RESTRA-
INTS INEFFECTIVE OR SUBVERTING THE RIGHT OF ALL NON-
SHORTFALL COUNTRIES FOR EQUAL OPPORTUNITY TO SHARE IN ANY
SHORTFALL REALLOCATIONS.

6. THE INTRODUCTORY PARAGRAPH HAS BEEN MODIFIED BY
CHANGING THE WORDS "ALL OTHER COUNTRIES THAT PARTICIPATED
....." TO SIMPLY "OTHER COUNTRIES THAT PARTICIPATED
....." THE PURPOSE IS TO ENSURE THAT AN UNEXPECTED
DECISION BY A COUNTRY TO REFUSE TO PARTICIPATE, OR LATER
RENUNCIATION OF SIGNED AGREEMENT, WILL NOT NECESSARILY
PREVENT A VOLUNTARY PROGRAM FROM BEING IMPLEMENTED.

7. POSTS MAY USE REF B AS GUIDE IN PREPARING SPANISH
LANGUAGE TEXT (IF REQUIRED). IF POSTS UNABLE TO LOCATE IN
FILES, DEPARTMENT WILL REPEAT REF B.

8. RESTRAINT QUANTITIES FOR INDIVIDUAL COUNTRIES ARE
GIVEN PARA 3, REF A. KISSINGER

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